

Notice of Allowability

Application No.

09/834,764

Applicant(s)

FROLIK ET AL.

Examiner

Ramsey Refai

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE filed July 14, 2006.
2. ☒ The allowed claim(s) is/are 1-48.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other

BUNJOR JARDENCHONWANIT
SUPERVISOR, PATENT EXAMINER

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EXAMINER' S AMENDMENT

Responsive to Request for Continued Examination (RCE) received July 14, 2006. Claims 1-48 were pending.

After Examiner' s Amendment below, claims 1-48 are allowed.

An examiner' s amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner' s amendment was given in a telephone interview with Edmond DeFrank on September 11, 2006.

Please amend the claims as follows:

1. (currently amended) A method for delivering sequentialized content to a user's content receiving device, comprising the steps of:

obtaining content having a plurality of portions arranged in a predetermined sequential order;

accepting a first delivery rule from the user for said content, wherein the user creates and controls a custom issue delivery schedule, wherein the custom issue delivery schedule is required to comply with publisher defined physical and temporal dimensions of the content to ~~preserve~~ maintain control over certain artistic ~~qualities~~ parameters of the content;

determining a next portion of said plurality of portions for the user to receive in accordance with said predetermined sequential order;

~~creating a personalized issue number for each issue to be delivered, wherein constant publication=~~

~~unique information is used to create a random character key to obfuscate a filename of the content to prevent users from anticipating upcoming undelivered content;~~

~~creating a suitably obfuscated filename by assembling each issue' s filename from an unchanging name portion, concatenated with a fixed number of digits representing the specific issue number; and~~

creating an obfuscated filename for said next portion of said plurality of portions to prevent the user from deducing a filename of upcoming undelivered portions of said plurality of portions of the content

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by using a random character key in said obfuscated filename, said random character key is generated using a text-scrambling algorithm by using a label and issue number representing said next portion of said plurality of portions and other constant publication-unique information; and

delivering said next portion of said plurality of portions of said content to the user's content receiving device in accordance with said first delivery rule and said determined next portion.

6. (currently amended) A method for receiving, by a user's content receiving device, sequentialized content having portions arranged in predetermined sequential order, comprising the steps of:

receiving a first delivery rule from the user, wherein the user creates and controls a custom issue delivery schedule, wherein the delivery schedule is required to comply with publisher defined physical and temporal dimensions of the content to ~~preserve~~ maintain control over certain artistic qualities- parameters of the content;

establishing a second delivery rule;

~~creating a personalized issue number for each issue to be delivered wherein constant publication-unique information is used to create a random character key to obfuscate a filename of the content to prevent users from anticipating upcoming undelivered content;~~

~~creating a suitably obfuscated filename by assembling each issue's filename from an unchanging name portion, concatenated with a fixed number of digits representing the specific issue number; and~~

creating an obfuscated filename for a next portion of said sequentialized content to prevent the user from deducing a filename of upcoming undelivered portions of said sequentialized content by using a random character key in said obfuscated filename, said random character key is generated using a text-scrambling algorithm by using a label and issue number representing said next portion of said sequentialized content and other constant publication-unique information; and

requesting delivery at a time in accordance with said second delivery rule of a said next portion of the sequentialized content that has been selected in accordance with said first delivery rule and a

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determination of a last portion of the sequentialized content delivered to the user's content receiving device.

13. (currently amended) A method for providing sequential issues of information to a subscriber's computing device according to a variable schedule, the method comprising the steps of:

depositing a plurality of sequential issues of information from a publisher in a repository;

establishing a publisher's rule for delivery of said plurality of sequential issues to the subscriber's computing device, wherein the publisher's rule for delivery is based on a user defined and controlled custom issue delivery schedule, wherein the delivery schedule is required to comply with publisher defined physical and temporal dimensions of the information to ~~preserve~~ maintain control over certain artistic qualities- parameters of the content;

establishing a schedule at a server in accordance with a subscriber parameter;

~~creating a personalized issue number for each issue to be delivered wherein constant publication-unique information is used to create a random character key to obfuscate a filename of the content to prevent users from anticipating upcoming undelivered content;~~

~~creating a suitably obfuscated filename by assembling each issue's filename from an unchanging name portion concatenated with a fixed number of digits representing the specific issue number and~~

creating an obfuscated filename for an issue portion of said plurality of sequential issues to prevent the user from deducing a filename of upcoming undelivered portions of said plurality of sequential issues by using a random character key in said obfuscated filename, said random character key is generated using a text-scrambling algorithm by using a label and issue number representing said next portion of said sequential issues and other constant publication-unique information; and

making said sequential issues of information available to the subscriber's computing device according to said publisher's rule and said schedule at said server.

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15. (currently amended) A method for providing sequential issues of information to a subscriber's computing device according to a variable schedule, the method comprising the steps of:

storing the sequential issues of information in a repository;

determining a maximum available issue number;

determining a publisher delivery rule, wherein the publisher's delivery rule is based on a user defined and controlled custom issue delivery schedule, wherein the delivery schedule is required to comply with publisher defined physical and temporal dimensions of the information to ~~preserve~~ maintain control over certain artistic-qualities- ~~parameters~~ of the content;

transmitting the publisher delivery rule to the computing device;

determining a publisher's current issue value for the sequential issues of information;

determining a subscriber's current issue value for the sequential issues of information;

~~creating a personalized issue number for each issue to be delivered wherein constant publication-unique information is used to create a random character key to obfuscate a filename of the content to prevent users from anticipating upcoming undelivered content;~~

~~creating a suitably obfuscated filename by assembling each issue's filename from an unchanging name portion, concatenated with a fixed number of digits representing the specific issue number; and~~

creating an obfuscated filename for an issue of the sequential issues of information to prevent the user from deducing a filename of upcoming undelivered issues of the sequential issues of information by using a random character key in said obfuscated filename, said random character key is generated using a text-scrambling algorithm by using a label and issue number representing said issue of the sequential issues of information and other constant publication-unique information; and

when the subscriber's current issue value is equal to zero or the subscriber's current issue value is less than the publisher's current issue value, making ~~an~~ said issue of the sequential issues of information available to the computing device in response to the subscriber's current issue value.

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23. (currently amended) A method for retrieving sequential issues of information, available from a publisher, by a subscriber on a personal schedule, the method comprising the steps of:

subscribing to the sequential issues of information;

receiving a publisher's delivery rule, wherein the publisher's delivery rule is based on a user defined and controlled custom issue delivery schedule, wherein the delivery schedule is required to comply with publisher defined physical and temporal dimensions of the information to ~~preserve~~ maintain control over certain artistic-~~qualities~~ parameters of the content;

requesting an issue of the sequential issues of information consistent with the publisher's delivery rule and the personal schedule;

~~creating a personalized issue number for each issue to be delivered wherein constant publication-unique information is used to create a random character key to obfuscate a filename of the content to prevent users from anticipating upcoming undelivered content;~~

~~creating a suitably obfuscated filename by assembling each issue's filename from an unchanging name portion concatenated with a fixed number of digits representing the specific issue number; and~~

creating an obfuscated filename for the issue of the sequential issues of information to prevent the user from deducing a filename of upcoming undelivered issues of the sequential issues of information by using a random character key in said obfuscated filename, said random character key is generated using a text-scrambling algorithm by using a label and issue number representing the issue of the sequential issues of information and other constant publication-unique information; and

receiving the issue of the sequential issues of information in response to the request.

28. (currently amended) A method for providing a service for viewing of sequential issues of information by a subscriber, on a computing device, according to a variable schedule, the method comprising the steps of:

assigning a subscriber issue number to the subscriber;

making available, in a repository, a first group of sequential issues of information;

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accessing the repository to obtain at least one sequential issue of the first group of sequential issues of information;

determining a publisher's maximum issue number;

determining a publisher's delivery rule, wherein the publisher's delivery rule is based on a user defined and controlled custom issue delivery schedule, wherein the delivery schedule is required to comply with publisher defined physical and temporal dimensions of the information to ~~preserve~~ maintain control over certain artistic-qualities- parameters of the content;

determining a maximum issue number for entitled issues available;

transmitting the publisher's delivery rule to the computing device;

receiving a request from the computing device for ~~at~~ the least one sequential issue of the sequential issues of information;

selecting an issue number in response to the received request and consistent with the determined publisher's maximum issue number, the determined publisher's delivery rule, and the determined maximum issue number for entitled issues available;

generating a locator in response to the selected issue number;

~~creating a personalized issue number for the locator for each issue to be delivered, wherein constant publication-unique information is used to create a random character key to obfuscate a filename of the content to prevent users from anticipating upcoming undelivered content;~~

~~creating a suitably obfuscated filename by assembling each issue's filename from an unchanging name portion, concatenated with a fixed number of digits representing the specific issue number; and~~

creating the locator for the least one sequential issue of the sequential issues of information to prevent the user from deducing a filename of upcoming issues of the sequential issues of information by using a random character key in said obfuscated filename, said random character key is generated using a text-scrambling algorithm by using a label and issue number representing the least one sequential issue of the sequential issues of information and other constant publication-unique information; and

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making the selected issue of information available to the computing device in response to the locator.

36. (currently amended) An apparatus for delivery of sequentialized content to a user's content receiving device, the apparatus comprising:

means for obtaining content comprising a plurality of portions arranged in a predetermined sequential order;

means for accepting a first delivery rule for said content, wherein the first delivery rule is based on a user defined and controlled custom issue delivery schedule, wherein the delivery schedule is required to comply with publisher defined physical and temporal dimensions of the content to ~~preserve~~ maintain control over certain artistic-qualities- parameters of the content;

means for determining a next portion of said plurality of portions for the user to receive in accordance with said predetermined sequential order;

~~means for creating a personalized issue number for each issue to be delivered, wherein constant publication-unique information is used to create a random character key to obfuscate a filename of the content to prevent users from anticipating upcoming undelivered content;~~

~~means for creating a suitably obfuscated filename by assembling each issue's filename from an unchanging name portion concatenated with a fixed number of digits representing the specific issue number and~~

means for creating an obfuscated filename for said next portion of said plurality of portions to prevent the user from deducing a filename of upcoming undelivered portions of said plurality of portions of the content by using a random character key in said obfuscated filename, said random character key is generated using a text-scrambling algorithm by using a label and issue number representing said next portion of said plurality of portions and other constant publication-unique information; and

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means for delivering a portion of said plurality of portions of said content to the user's content receiving device in accordance with said first delivery rule and said first delivery rule and said determined next portion.

40. (currently amended) An apparatus for receiving, by a user's content receiving device, sequentialized content having portions arranged in predetermined sequential order, the apparatus comprising:

means for receiving a first delivery rule, wherein the first delivery rule is based on a user defined and controlled custom issue delivery schedule;

means for establishing a second delivery rule, wherein the second delivery rule is required to comply with publisher defined physical and temporal dimensions of the content to ~~preserve~~ maintain control over certain artistic-qualities- parameters of the content;;

~~means for creating a personalized issue number for each issue to be delivered, wherein constant publication-unique information is used to create a random character key to obfuscate a filename of the content to prevent users from anticipating upcoming undelivered content;~~

~~means for creating a suitably obfuscated filename by assembling each issue's filename from an unchanging name portion, concatenated with a fixed number of digits representing the specific issue number; and~~

creating an obfuscated filename for a portion of the sequentialized content to prevent the user from deducing a filename of upcoming portions of the sequentialized content by using a random character key in said obfuscated filename, said random character key is generated using a text-scrambling algorithm by using a label and issue number representing said portion of the sequentialized content and other constant publication-unique information; and

means for requesting delivery at a time in accordance with said second delivery rule of a said next portion of the sequentialized content that has been selected in accordance with said first delivery rule and a

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determination of a last portion of the sequentialized content delivered to the user's content receiving device.

46. (currently amended) An apparatus for delivery of sequential issues of information to a subscriber's computing device on a variable schedule. the apparatus comprising:

a repository that stores the sequential issues of information;

a processor that identifies:

a maximum available issue number,

a publisher delivery rule, wherein the publisher delivery rule is based on a user defined and controlled custom issue delivery schedule, wherein the delivery schedule is required to comply with publisher defined physical and temporal dimensions of the content to ~~preserve~~ maintain control over certain artistic-qualities- parameters of the content;

a subscription inception date, a publisher's current issue value of the sequential issues of information, and

a subscriber's current issue value of the sequential issues of information;

~~a personalized issue number that is created for each issue to be delivered wherein constant publication-unique information is used to create a random character key to obfuscate a filename of the content to prevent users from anticipating upcoming undelivered content wherein the obfuscated filename is created by assembling each issue's filename from an unchanging name portion concatenated with a fixed number of digits representing the specific issue number; and~~
an obfuscated filename of a most current issue of the sequential issues of information created to prevent the user from deducing a filename of upcoming undelivered issues a most current issue of the sequential issues of information by using a random character key in said obfuscated filename, said random character key is generated using a text-scrambling algorithm by using a label and issue number representing said most current issue of the sequential issues of information and other constant publication-unique information; and

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a transmitter that conveys, in response to a delivery request from the subscriber's computing device, a said most current issue of the sequential issues of information to the subscriber's computing device consistent with said publisher delivery rule, said publisher's current issue value, a time interval between said subscription inception date and said delivery request, and the subscriber's current issue value.

- All other pending claims not listed above have not been amended or canceled and remain the same as presented in the amendment received July 14, 2006.

The following is an examiner's statement of reasons for allowance: The prior art of record fails to teach or suggest individually or in combination creating an obfuscated filename for said next portion of said plurality of portions to prevent the user from deducing a filename of upcoming undelivered portions of said plurality of portions of the content by using a random character key in said obfuscated filename, said random character key is generated using a text-scrambling algorithm by using a label and issue number representing said next portion of said plurality of portions and other constant publication-unique information.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramsey Refai whose telephone number is (571) 272-3975. The examiner can normally be reached on M-F 8:30 - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on (571) 272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ramsey Refai
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September 12, 2006



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